

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ROBERT FISK,	:	Case No. 3:16-cv-00118
	:	
Plaintiff,	:	District Judge Thomas M. Rose
	:	Magistrate Judge Sharon L. Ovington
vs.	:	
	:	
DAYTON POLICE DEPARTMENT,	:	
<i>et al.</i> ,	:	
	:	
Defendants.	:	

ORDER

On April 27, 2017, Defendants filed a Motion to Compel Discovery (Doc. #14), and the Court ordered Plaintiff to either provide the requested discovery to Defendants or show cause why their Motion to Compel should not be granted by May 4, 2017. On May 17, 2018, the United States Postal Service returned as undeliverable a copy of the Order that had been sent to Plaintiff's address of record. (Doc. #18). Additionally, Defendants filed a Notice of Plaintiff's Failure to Comply with the Court's Show Cause Order, requesting that the Court order Plaintiff to produce the requested discovery. (Doc. #17).

Accordingly, Defendants' Motion to Compel Discovery (Doc. #14) is GRANTED. Plaintiff shall provide answers to Defendants' First Set of Interrogatories and First Requests for Production of Documents **on or before June 2, 2017**. In addition, Plaintiff shall **SHOW CAUSE—on or before June 2, 2017**—why this case should not be

dismissed for failure to prosecute. *See* Fed. R. Civ. P. 41(b); *see also Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962).

Plaintiff is placed on notice that failure to comply with this Order could result in the imposition of additional sanctions, including, but not limited to, dismissal of the lawsuit with prejudice to refiling. “If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it.” Fed. R. Civ. P. 41(b). District courts, moreover, have the inherent power to dismiss civil actions for want of prosecution to “manage their own affairs so as to achieve the orderly and expeditious disposition of cases. *Link v. Wabash R.R.*, 370 U.S. 626, 630-31 (1962).

May 19, 2017

s/Sharon L. Ovington

Sharon L. Ovington

United States Magistrate Judge